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Spy chief favors U.S. prosecution of media for baring top secrets

By Mark Thompson
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WASHINGTON — The head of the nation's most secret spy agency said yesterday that the federal government should prosecute news organizations that publish sensitive information, a practice he said had crippled U.S. intelligence-gathering capabilities in some parts of the world.

In a rare, on-the-record interview with Pentagon reporters, Army Lt. Gen. William E. Odom, director of the National Security Agency, also criticized the Reagan administration for its torrent of leaks and some U.S. officials' failure to have the "appropriate level of paranoia" concerning Soviet espionage efforts.

"From where I sit, leaks have damaged the SIGINT [signals intelligence] system more seriously in the past three or four years than in a long, long time," Odom said. "You just have to take my word that that's the way it looks from where we sit."

Odom's agency, regarded as the biggest and best-hidden U.S. intelligence outfit, is based in Fort Meade, Md., between Washington and Baltimore. Using billions of dollars worth of spy satellites and high-tech listening gear and computers aboard ships and planes, thousands of NSA scientists, cryptographers and translators eavesdrop on electronic communications worldwide and relay their findings to top U.S. officials.

Odom said the media had made his agency's job more difficult in recent years. The United States has suffered "deadly losses" in gathering intelligence in Libya — as well as in Syria and elsewhere in the Middle East — because of news reports highlighting electronic intelligence methods, Odom said.

"A number of sources have dried up in some areas," Odom said, declining to name countries outside the Middle East.

Odom singled out James Bamford's 1982 book on the NSA, *The Puzzle Palace*, as the worst blow in the agency's 35-year history.

"Bamford's book was absolutely devastating — that book has done more damage to us than almost anything I can think of," he said.

"That book is on the ready-reference shelves in most foreign intelligence libraries," Odom said. "It is used by foreign intelligence services, on occasion, to debrief spies."

Odom said he believed that Bamford and others publishing such material should be prosecuted under a 1950 law barring disclosure of U.S. "communication intelligence activities."

Odom said he has referred an unspecified number of alleged violations to the Justice Department, although a department spokesman said the government had declined to prosecute. Conviction carries a maximum 10-year prison term and $10,000 fine.

"I can understand the reluctance of the Justice Department to go out and have one of these cases," he said. "Do you think all of you in the press would treat it with dispassion and detachment?"

Convictions would be easy, he said.

"Generally, when I'm with a group of journalists I can see two or three people who fall into the category of those who probably could be successfully prosecuted," Odom said. "I don't think that the application of the statute will greatly harm the flow of information in the public debate."

But Odom acknowledged that government officials who tell reporters about sensitive intelligence findings are just as guilty as those who publish them.

"I'm not necessarily for the news agencies being the first to be under the gun — the first people who ought to be under the gun are the leakers inside the administration," he said, adding that administration officials leaked more classified material than Congress.

Odom also said that Senate debate regarding verification of Soviet compliance with any new arms control pact should be behind closed doors.

"The more enlighted the verification debate is, the weaker my capabilities to verify will be," he said.

Odom, who has served with the U.S. military in Moscow, said the State Department's oversight of construction of the new U.S. Embassy in Moscow — where the Soviets planted bugs in building materials — was "irresponsible."

"Most of the Americans dealing with Moscow tend to underestimate the resources, the competence, the technological capability the Soviets will bring to bear against our presence there, and that's why I found it such an insightful remark by a journalist in Moscow who said, 'Paranoia is the house disease — if you don't have it, you're in trouble,'" Odom said.

"Even those people who are deeply involved with sensitive materials who ought to know better on several occasions have not had the appropriate level of paranoia," he said.

Too often, Americans based in Moscow dismiss the Soviet spy threat because they can't comprehend its magnitude, Odom said.

"It's pretty difficult for Americans to even realize they're being tailed in Moscow," he said. "If you're followed by a couple or three people, that's easy to discover — when it's scores of people it's a little more difficult."

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